

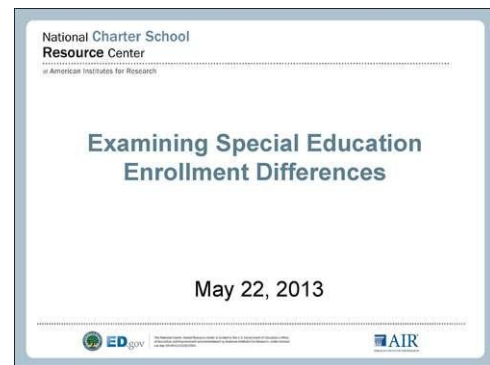
Examining Special Education Enrollment Differences

TAMMIE:

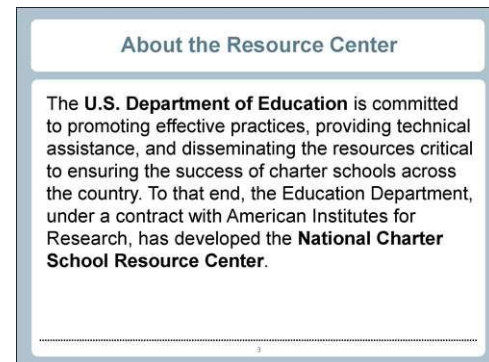
Good afternoon, everyone. My name is Tammie Knights from the National Charter School Resource Center, and I'm pleased to welcome you to the webinar *Examining Special Education Enrollment Differences*. The Resources Center is funded by the Department of Education's Charter Schools Program and serves as a national center to provide resources, [inaudible] charter schools and to disseminate information about the special practices in charter schools.



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I want to quickly remind you about our webinar platform. You can listen to the audio portion either through your computer or over the phone. If you do join by phone, please mute your computer speakers to prevent an echo effect. And if you were not prompted to enter your phone number, please dial the number that is listed in the chat. For any questions you have, please enter them in the chat throughout the webinar. I will be collecting them and then [audio skip] to today's webinar if you would like to download that, you may do so there.

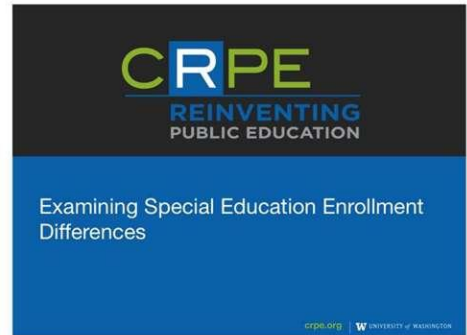
As a reminder, the webinar's being recorded, so to ensure audio quality, we have muted all the participants. So if you see us muting you, it's just so that we cannot have the background noise [audio skip] director both with the Center on Reinventing Public Education. And I'm just going to turn it right over to them to get us started.

BETHENY:

Hello everybody, I, it's going to, we're going to start with me, and I'm Betheny Gross. As you've heard, I'm here with my colleague Robin Lake. And we are from the Center on Reinventing Public Education. For those of you [audio skip] of public education with an eye toward finding—oh without musical interlude there. Sorry. So, that our center is the Center on Reinventing Public Education as a, as a, I was just saying a policy research organization located in Seattle, Washington.



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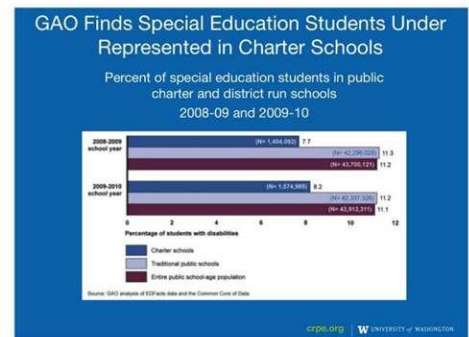
Our center examines policy and governance systems with an eye toward finding the ways in which the systems can be structured to help the governance solutions we've examined extensively. They extend to which charter schools [audio skip 00:02:00] and do offer fair access to special education students, certainly as a central concern when considering whether charter schools can be a solid, long-term policy solution for public education, and then considering what leaders can do to ensure a fair access for special education students.

In this presentation today, I'm going to, I'm going to describe our analysis of special education enrollment in New York state, where we see the complexities and nuances of the special education issue. I'm going to then hand things off to Robin, who's going to follow up with what we see as important implications of this analysis and what it means for the work of [audio skip] that neither Robin nor I is an ex, a legal expert in special education. I know that there are a lot of burning questions around the legal issues; that's not our expertise. I understand there was a webinar a week or two ago that covered those issues, and I think you can probably find some resources online for that.

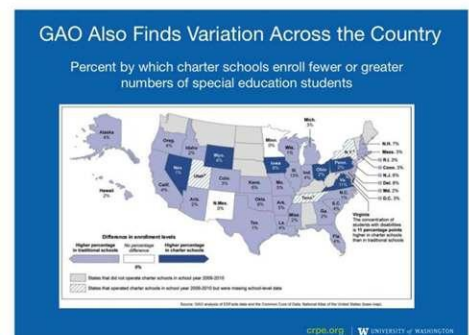
We're going to stay instead focused on the larger policy issues around [audio skip] our technical capacity here. Robin and I are going to wait until the end to respond to these questions. But we do look forward to hearing from you.

Families and advocates have long-range concern over [audio skip]. Special education students report being steered away from charter schools, told that they, that the schools, aren't a good fit for their child, or they've left the charter school completely because the school isn't offering high-quality services for kids. At the same time, charter schools [audio skip] special needs students and the unique needs of students. And even many are serving the, these unique needs of students in a regular, in a, in the regular education program as sort of dispensing with the need to establish an IEP [individualized education program] for the students [audio skip].

That charter schools indeed do enroll a significantly lower share of special education students across the country. But at the same time, the GAO [U.S. Government Accountability Office] also show that the unit, the enrollment picture was not uniform across the country. In fact, they found a great deal of variation across states. In this graphic, charter schools in the dark blue states actually enroll a higher share of special ed [audio skip] at the enrollment data offer us, offer sort of a different view on the charter district enrollment divide.



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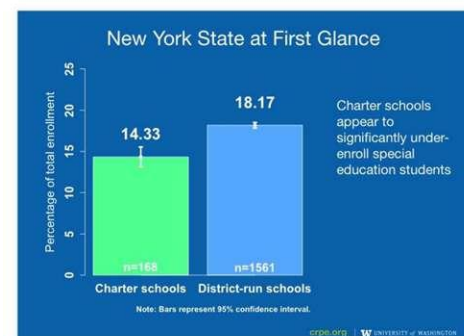
And our analysis of New York City really illustrates the, how different and different perspectives bring this story to sort of different conclusions. So [inaudible] no schools in both the charter and district schools, not just the average enrollment.



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Second, we examined elementary, middle, and high schools separately, acknowledging that and the situation in each, the enrollment situation in each of those levels was probably a little bit different [audio skip] manage their portfolio schools differently. Finally, we compared charter and district sectors down to the neighborhood level, thinking that geography is an important consideration when accepting access to schools.

So when we first looked at the New York state analysis, we started pretty much where the GAO reports starts. And that's to look at the aggregates across the state and we [inaudible] special education students. This, I'm sorry, need to get—thank you. We had a little technical snafu with switching the slides.



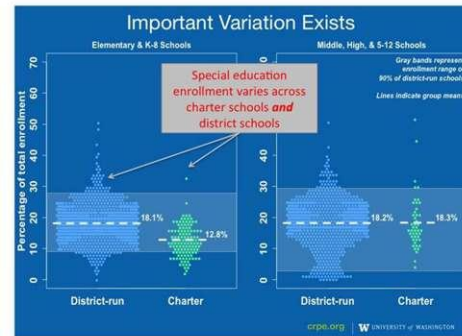
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But when we started to look at things, we started to separate things a little bit more, we started elementary schools from middle and high schools. So the left panel are the elementary programs in New York state and the right panel are the middle and high programs.

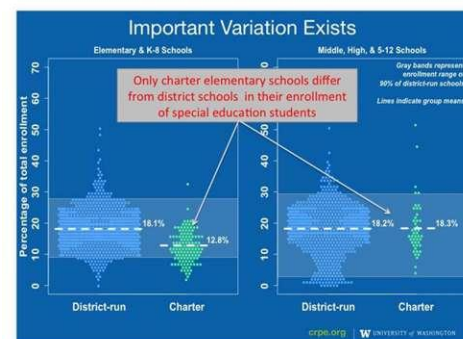


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The second thing we did was we represented the full distribution [audio skip] are a few things to note here. First of all, that both district and charter schools actually represent a very, a fairly wide variation in the representation of special education students, so the enrollment of special education students. For instance, if you look at the schools with more than 50 percent special ed, the gray bar that runs across the middle of that, of that panel, represents where about 90 percent of the district schools reside in terms of enrolling [audio skip] charter schools, and we find that, and the, that the range at which 90 percent of the schools [inaudible] is that there's no specifically significant difference in the distribution of middle and high school charter schools from district-run schools. But the charter elementary schools do appear to be [audio skip] of special ed students than their district counterparts.

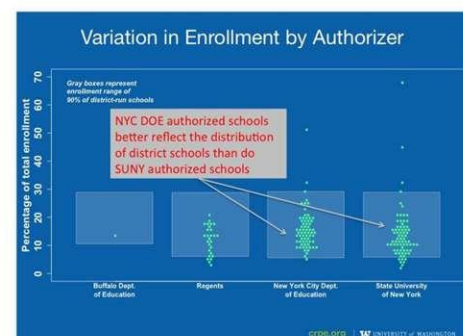


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Again, as I said earlier, you know, authorizers certainly play an influential role in determining the portfolio of charter schools available to students. So we thought it was useful to separate out in New York state the different [audio skip] in the gray boxes that surround them show you where 90 percent of their neighboring, their neighboring district schools reside. So the extent to which those green dots fit within that gray box shows you how [audio skip].

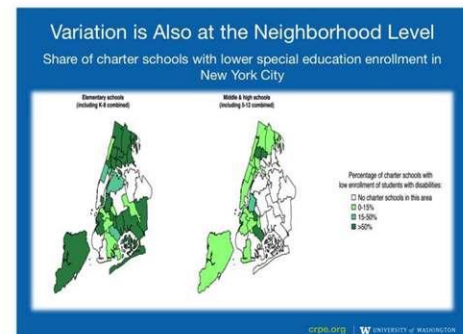


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And here we find the, but if you look at the two that are on the far right that represent the New York City Department of Education authorizing agency and the State University of New York the SUNY authorizing agency, you find that New York City Department of Ed schools better reflect their neighboring, their neighboring schools.

And finally, this is the last and probably most complicated graphic I'll show you. We took a very close look at New York City and New York state. A very large portion of the state's charter schools are located in New York City. So we thought it was, it was important to look at that context in particular. I apologize because it is a somewhat complicated graphic, but basically what you need to notice here is that the dark-green-shaded neighborhoods are the neighborhoods where the charter school enrollment is more similar.

Again, we separated the [inaudible] the elementaries from the middle and highs for this analysis. So the left graph is that for elementaries and the right graph is for middle and highs. And, once again, you see this story reflect very [audio skip] students to their district schools. The elementaries, on the other hand, do appear to enroll special education students at a lower rate or less; they're less well represented than they are in the district schools. So I know this was a lot to take in from our analysis, and you're probably more interested in the policy implication. [audio skip] Picture is and recognizing that achieving equity across these two sectors will probably defy any simple policy solution. With that in mind, we've been spending quite a bit of time here at CRPE thinking through what these [audio skip].



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ROBIN:

Okay, thank you Betheny. Hi everybody. Thanks for joining us today. So Betheny just gave you a lot to think about, and we, you know, we, as we've looked over these data and think about the policy implications, it's obviously a very complex picture. [audio skip] More questions than provide answers, right. So there's some things that we can and can't say at this point. We certainly can say that there's just a tremendous amount of variation. And it's probably, you know, think about the question of equal representation kind of hitting an average number, right. There's sort of an equal distribution both in the charter sector and in the district sectors. So, you know, a normal distribution is the norm.

So from a policy perspective [audio skip] in terms of a number of special ed kids that they serve, we refer to those kind of policy solutions as quotas or just kind of a target enrollment number. A fascinating question is if you hit a target and if you put a target enrollment number in place for charter schools [audio skip] so you can see that there, this is a, this is a complicated policy question. We don't [audio skip] we're not even entirely sure in many cases in the policy world what is the problem that we're trying to solve. Because if you kind of look at all the different attributes that Betheny talked about in terms of authorizing and neighborhoods and grade spans [audio skip] minute some of initial thoughts about policy.

What We Can and Cannot Say About Special Education Enrollment

We can say...

- Special education students are not represented equally across schools in either sector
- Enrollment disparities vary by state, locale, authorizer, and school

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To start with, we can [see] that there's not one obvious reason that special ed enrollment is differing here in the charter sector compared to district schools. We think it's much more likely that there are variety of factors that play. I want to just start getting into those a little bit. We think, and you may have other possibilities for [audio skip] access and just, you know, how many students are getting into schools for different reasons. How the approaches that Betheny talked about earlier, the approaches that charter schools are taking to identifying kids with special needs and serving those [audio skip].

What We Can and Cannot Say About Special Education Enrollment

We cannot say...

- There is just one reason special education enrollment differs across sectors

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Several Potential Sources of Enrollment Disparity

Differences in:

- Access
- Identification
- Policy Structure

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Several Potential Sources of Enrollment Disparity

Differences in:

- Access →
- Identification
- Policy Structure

- Charter schools don't have desired programs
- Families don't know about good charter programs
- Charters dissuade families

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So on the access question, this is again complicated. You know, it's entirely possible, in fact it's likely, that a lot of parents look at a given charter school and see that there's not an existing program there that meets their particular kid's needs. Special ed kids for [audio skip] are not seeing some that are, that maybe attracting them; this may be especially true for kids with severe disabilities. Such parents may be happy in a district program that's being offered for a kid with what we call low-incidence needs, becoming the norm. Like in New Orleans, it's hard for families with special needs to kind of navigate the system of choice. And certainly, as Betheny mentioned, we know that both within the charter sector and with [audio skip] it's never appropriate. So we know that all those issues are probably at play.

But secondly, we hear often from charter schools that there's an identification difference. That many charter schools see it as part of their mission to avoid placing kids on special ed designation to a category of learning disabled or emotionally behavior disorder. Instead address those, the learning and behavior issues and move them off of IEPs as quickly as they can. So [audio skip] schools that Betheny showed you and the middle and high schools does seem to be some reason to look much closer into that identification question.

And then, finally, on the policy structure, many charter schools, elementary schools don't [audio skip] school program for there, from there. Just a reality for charter schools that, that those programs kind of don't exist. And, you know, because charter schools are popping up in different neighborhoods according to schools, so you'd expect some variation there. That's just part of the policy reality of the schools. So big mix of possible drivers there.

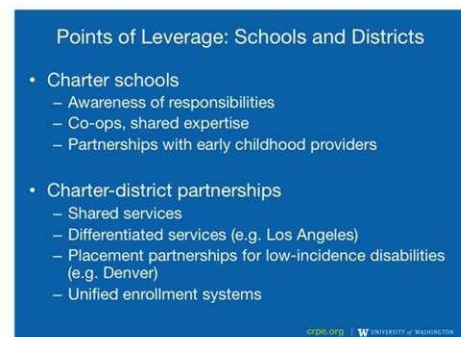
We think of, then, policy solutions, and we wanted to help you think about the possible points of leverage of the few different layers. Many of you are from state education agencies. But we want to start at the school level and point out that, of course, at the school level [inaudible] awareness of responsibility, what is the schools [audio skip] as every state law is written differently. But we think that it's incumbent upon the schools and the folks who are supporting those schools to kind of get that clear and pound it into schools and parents who are shopping those schools, what those responsibilities are.



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Points of Leverage: Oversight Agencies

- Authorizers
 - RFP for charters with specific services
 - Coordination of charter collaborations
 - Measurement and oversight
- State agencies
 - Differentiated funding for high needs disabilities
 - Risk pools for students with high needs
 - Smart regulations (e.g. Massachusetts recruiting and retention oversight)

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Unresolved Questions That Deserve More Attention

- Are charter schools less likely to identify students as needing special education?
- Are charter schools better at early intervention?
- What are the academic and other outcomes for students with disabilities who do attend charter schools?

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We see an increasing number of schools looking to solve economies of scale with charters in a large area. But as you get more and more charter schools, you might want to encourage that kind of cooperation. And we hope to see more charter schools reaching out to PK providers to kind of figure out what we'll start to think about, what we want to encourage more of.

We're also seeing quite a few districts with a large number of charter schools in their midst starting to talk about rational partnerships to help [audio skip], and increasingly we're assuming opportunity for shared services and shared costs. This can be frustrating for both parties for a number of reasons that we can get into later. But if there's a, is a lot of trust and a lot of kind of commitment toward long-term partnership, those things cost, rather than kind of foisting shared services on charter schools is offering differentiated services to schools. So they can pick and choose from a few different

levels of services with the district. Depending on what level of independence they're comfortable with and they want, and whether they want to have complete control over the special ed services or not.

And one of the more interesting partnerships that [audio skip] charter schools are serving a similar number of kids with special needs, but not kids with low-incidence needs and not the highest disability kids. Their solution, after talking with their charter school partners, was to experiment with placing low-incidence centers within charter [audio skip] a good financial equity partnership and kind of long-term commitment to problem solving. Finally, we're seeing many schools, many schools working with districts [audio skip] special needs, families with special needs, can understand what they're options are across all choices.

Okay. So I just wanted to then move quickly into the [audio skip] or an agency that's sponsoring a lot of schools within a geographic area. Look and assess kind of the needs for kids with special needs across the city or across the state. And if you see that there's a need for a school to serve kids who are deaf or blind or kids on the autism spectrum, think about putting out a request for proposals on measurements and oversight and get into the data, begin discussion with charter schools in your communities.

Similar kinds of functions for state agencies, but the more that you can address the funding questions—getting the funding incentives right so that schools can meet the needs appropriately, kids with different disability levels—is very, very helpful. Establishing a risk pools [audio skip] regulations. I mentioned that the quota question is a very, very tricky one. We'd like to encourage

instead that state agencies think through what I would call smart regulations.

Massachusetts is doing something along these lines; rather than establishing specific enrollment targets, they are looking individually at each school's recruiting and retention policies and making sure [inaudible] spend a lot of time on these unresolved questions. But Betheny mentioned we're digging into many of them. We do want to get into the question of identification and develop some evidence based on what's happening out there on that front. Early intervention strategies, and we think it's very, very important [audio skip].

Where can you start if you're a state that wants to get a better handle on what's going on? We highly encourage this kind of digging into data to first understand your state situation. Understand whether in fact there is a [audio skip]. Really use those data to transform conversations, get people to sit around this table, and start thinking about a rational solutions. What that means, of course, is a real commitment to collecting data on all these fronts but also on the questions coming [audio skip].

BETHENY:

We have a bunch of questions. I'm going to start posing them to ourselves, I guess. I think there are several questions on the issue of lotteries and the challenge of and possible tension that exists between special education students in their schools, and the complications that lotteries present to that because, you know, theoretically it's lined on both sides. You're throwing your hat in the ring in the school, and the school is picking at random who is allowed to come. I'll let you fire away on that [inaudible].



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ROBIN:

[Inaudible] From a general equity standpoint, whether it's right to give kids with special needs a leg up on lotteries, an advantage in getting into a school if they have special needs, is something that could be argued of fit. And certainly the legal right that [families] with special needs have to an appropriate fit for their child.

I really think that it's very beneficial if there can be some mechanism. Parents understand what kind of schools would be an appropriate fit for them. But [to] help match the parent with the appropriate school—in some cases, that might mean giving that child an advantage in enrollment.

BETHENY:

Right [inaudible]. Yeah. No, I would agree with all of that. And I do think a no-gain equity across the sectors by just requiring a target and not acknowledging that there are these other systems by which students enter schools. I think, you know, would ignore where, you know, the problem may be in that students are not entering those lotteries that are special care for kids who do have specific needs. And probably in all circumstances have a less ample range of options in front of them.

ROBIN:

And then, you know, I kept thinking it gets back to what Massachusetts is trying to look at on the policy front. Does the school's recruiting strategy mean outreach to families with special needs [audio skip].

BETHENY:

Time for us to do a little bit of clarification. Somebody asked what unified enrollment systems means. So since we're on the topic of lotteries, we

can, we can talk about that. Unified enrollment systems are showing up in more districts across the country and cities across the country, I should say, in which there's a large number of charter schools and the district has [audio skip 00:04:34] are centralized enrollment process through which students can enroll in, can request to enroll in or apply to any type of school that they want, district or charter, all on the same application.

So from the parents' standpoint, you'll look at a catalog of all of the schools in the city, both district and charter, that are participating in the unified enrollment system and fill out an application form enlisting your preferences in order of preference. Regardless of whether its charter or district, so you may prefer a district school is your number one, a charter schools your number two, a district is your number three, on down to a match of a school for them based on their preferences. And that is, those matches are handed out to students, and they may be matched to district schools or charter schools based on their preferences. One process.

So that handles a bunch, I think a bunch of the lottery and enrollment system, but the program, the low-incidence programs that are in the Denver charter schools.

ROBIN:

Right, so the charter school is in charge of it. The center is located within a charter school. The charter school runs it and has, as I understand, complete control over the educational program. The districts partners by [audio skip] provider, but the charter school runs it.

BETHENY:

And this other question, also related to sort of specialized programs. We make a suggestion that

the authorizer is if they're seeing a gap in the ability of their portfolio schools to serve a certain special needs that kids have. You know, maybe wondering if we were suggesting that the RFP [request for proposals] be specifically, to build a school specifically for those students, thus sort of kind of building and creating a tension around the least restrictive environment notion, or where we're suggesting a school that incorporates a specific special need.

ROBIN:

Right and [audio skip] for kids with pretty specific disabilities. There are schools for the deaf in Florida. There's a whole network of charter schools designed to serve kids on the autism spectrum. In the Midwest, there are many charter schools that are designed to serve [audio skip] whether that's appropriate and whether it was just a way from inclusion, but certainly they're very, very popular choices with a lot of families. The advantage [audio skip] really well. None of the schools would exclude any other child who wanted to attend. They still have to be open admission schools. But the mission is geared toward that population.

BETHENY:

Just really quickly, somebody had asked which districts the cities are [audio skip] been running their unified enrollment systems for a few years now, and there are quite a bit of materials available if you're interested in learning more about their enrollment system available on their district website.

The New Orleans RSD that is a recovery school district that is operating the unified [audio skip]. Asking about, let me think, where is this one. Oh, okay. This is probably a complicated question to hit now but maybe we can get at some pieces of it.

Where can we get funds to pay for service providers? Our school is in need of service providers because the enrollment, I mean the special education enrollment, keeps going but [audio skip].

ROBIN:

That there a couple levels of my thoughts on that. The first is an advocacy question. I don't know what state we're talking about. Every state's different in terms of equity funding for kids with special needs. My understanding is New York state is a good state to look to for [audio skip] or to the district if it's, the district is providing those services. And the other thought gets to the question of the economies of scale that I was talking about earlier. It's nearly impossible for a stand-alone school to deliver all the services to all the types of district. If that's a possibility with other charter schools, if you can form a co-op or an insurance risk pool or with community groups who might be able to help provide the base of equitable funding so the children who attend a charter school, if they have a disability, they're getting the same amount of money following them they would in a district school. But then you need to look toward creative solutions.

BETHENY:

So there have been several questions that have come in asking about do we have data on this, that, or the other thing. The first is, are there any data on this strict discipline academy charter schools, the kinds of no-excuses places that we hear about in the news. And I'm guessing the attrition or the ability to attract and keep special ed students.

ROBIN:

I know that I think those kinds of questions need to

be built in to every rigorous study that goes on. And you have [inaudible] high discipline standards and kind of a no-excuses mentality and want to maintain those standards for all kids. There are a number of districts and authorizers who are starting conversations about, just as we have [audio skip], to the conversation going on common enrollment systems, whether there should be common [inaudible].

BETHENY:

And you can actually see that play itself out in New Orleans, they do, when they initiated or instituted their common enrollment system, they also established a common [audio skip] suspensions are handled through a central [inaudible].

ROBIN:

And I know that's an issue that NACSA, the National Association for Charter School Authorizers, is looking into and kind of developing some thinking around. So look for something on that soon.

BETHENY:

Yeah. The need level of kids and what do we know about access and availability for students with moderate and severe needs. Do we specifically this person was asking if we knew of any states that were better at providing equitable access across the [inaudible] state.

ROBIN:

They just weren't available to us. And we hope to look into that further. But I believe that California is better on the data side, at least, but that's another [audio skip].

For now, Tamara's over there writing down more questions for us. Is and this is the one that keys up

to more that we'll have coming out soon, is there any data around whether or not special ed [audio skip].

Health researchers think about what would be the right way to approach that question given all the difficulties on data and figuring out what kinds of outcomes would be the right outcomes to measure; very tricky proposition. We are about to put out a paper that'll provide some guidelines to researchers. But [audio skip] large in our public school system, not in charter schools necessarily, but throughout the public education system are just terrible. I think of it as an academic death sentence to be receiving special ed services in 10th or 11th grades. The proficiency rates are very, very, very poor. So we have almost nowhere to go but up on that front, and I'm [audio skip]. Not that I'm aware of.

BETHENY:

Not that I'm aware of either.

ROBIN:

Yeah. We don't know.

BETHENY:

Do we know of any situations when LEA [local education agency].

ROBIN:

Oh we do know [audio skip] I mean, just on the quota front there's been a big move from [inaudible] for LEAs that have been barriers to student enrollment. So the kid wants to go to a charter school, the charter school wants them, but the district somehow, for some reason, blocks that move because the child is already enrolled in the special ed program in the district.

BETHENY:

I've heard kids who have special needs so the district will, you know, will kind of encourage kids that they see as problematic to a charter school. You know, I think all those things happen. I don't think it's hugely [inaudible] great for special ed kids. And then will become flooded with applications from families with IEPs because they're desperately looking for options.

This individual is asking about data on charter schools actually being able, as we, so said, there's some qualitative evidence of this. But actually being able to move kids out of the, into the least restrictive environment [audio skip] studies of schools as you pointed out where the schools mission is to address all kids' needs within the regular program, and in many cases eliminating the need for the IEP. But we don't have, to my knowledge, any studies, any quantitative studies that look at that.

That said, these studies are underway right now. So stay tuned; we'll have evidence about that. We have several researchers, ourselves included, who are examining some of the data in states, a couple of states around the country [audio skip] district, elementary schools. And whether, and how long are they going to retain IEPs if there are different [inaudible] of that as well.

So and in one of those states, we'll also be looking at ELL students, right, and with the same, with the same type of questions [Inaudible]. Special ed—Tamara might be doing that; it looks like, yeah great. And next one, these slides will also, I believe be made available to folks after the, after the webinar, so you can look at that [audio skip].

If a parent wants to enroll their child in a charter school but the school doesn't have the resources to serve the student, what is the course of action for those parents? And what are schools supposed to tell those parents?

ROBIN:

A local education agency, or an LEA, for the purposes of special education, each law is written differently on that front. If the school is the LEA, they must legally [audio skip] or I believe like a district, they could pay for the student to attend a school that is appropriate for their needs. If they are not an LEA, part of the district, then they would have other options. In a typical school district, you know, not all schools are take all kids' needs—more than a couple of minutes to get into.

BETHENY:

Yeah. This other question that came in is similar to one that we talked about earlier about the, you know, the heavy disciplined schools and asking if we've looked at the use of discipline fines and its impact on the enrollment of students with disabilities. We have not looked at that, and so to the best of our knowledge, we don't know anybody who has looked at that specifically. We're going to punt on that one. Not sure we know exactly what committees a special ed need.

ROBIN:

Richard.

BETHENY:

Richard, do you want to clarify that question a little bit for us if you can really quickly?

ROBIN:

He may be speaking of an IEP team.

BETHENY:

Hopefully we answered your question, Richard. Are we good? All right, well this has been fun. Thank you all. Thank you everybody. And if you have any follow-up questions, feel free to reach out to us. We can be found at www.crpe.org. I don't know if [audio skip].

TAMMIE:

Appreciate it and appreciate everyone in the chat just sharing your experiences and your thoughts and asking questions. So, you know, this webinar will be posted on the National Charter School Resource Center website. If you'd like to share it with others or just view it at another time. As well, we have a feedback survey for you.

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Thank you for participating.

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